

3604

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. CROUCH, OAKS, BURLING, SCOZZAFAVA, HAWLEY --
Multi-Sponsored by -- M. of A. AMEDORE, BACALLES, BALL, BARCLAY,
BUTLER, DUPREY, ERRIGO, FINCH, KOLB, P. LOPEZ, MILLER, MOLINARO,
O'MARA, QUINN, RAIA, REILICH, SPANO, TEDISCO, TOWNSEND, WALKER -- read
once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to providing a
real property tax exemption on lands used for certain agricultural
purposes; and providing for the repeal of such provisions upon expira-
tion thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The real property tax law is amended by adding a new
2 section 481-a to read as follows:
3 S 481-A. TAX EXEMPTION FOR CERTAIN AGRICULTURAL LANDS. 1. REAL PROPER-
4 TY THAT IS SUBJECT TO ASSESSMENT UNDER SECTION THREE HUNDRED FOUR-A OF
5 THE AGRICULTURE AND MARKETS LAW SHALL BE EXEMPT FROM TAXATION TO THE
6 EXTENT OF ONE HUNDRED PERCENT OF THE ASSESSED VALUE OF SUCH PROPERTY FOR
7 VILLAGE, TOWN, PART TOWN, SPECIAL DISTRICT, CITY, OR COUNTY PURPOSES OR
8 SCHOOL DISTRICTS, EXCLUSIVE OF SPECIAL ASSESSMENTS, IF SUCH PROPERTY IS
9 USED IN THE PRODUCTION OF BIO-ENERGY CROPS THAT ARE INTENDED FOR USE AS
10 ALTERNATIVE FUEL.
11 2. SUCH EXEMPTION SHALL NOT BE GRANTED TO A PROPERTY OWNER UNLESS SUCH
12 OWNER PROVIDES THE TAXING AUTHORITY WITH PROOF, SATISFACTORY TO THE
13 OFFICE OF REAL PROPERTY SERVICES, THAT SUCH LANDS ARE USED FOR THE
14 PURPOSES DESCRIBED IN SUBDIVISION ONE OF THIS SECTION.
15 3. APPLICATION FOR SUCH EXEMPTION SHALL BE FILED WITH THE ASSESSOR OR
16 OTHER AGENCY, DEPARTMENT OR OFFICE DESIGNATED BY THE MUNICIPALITY OFFER-
17 ING SUCH EXEMPTION ON OR BEFORE THE TAXABLE STATUS DATE ON A FORM AS
18 PRESCRIBED BY THE STATE BOARD.
19 4. FOR PURPOSES OF THIS SECTION, "BIO-ENERGY CROPS" SHALL MEAN CROPS
20 GROWN SPECIFICALLY FOR CELLULOSIC ETHANOL PROCESSING.
21 S 2. This act shall take effect immediately and shall expire and be
22 deemed repealed five years after such effective date.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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